2001 DRAFTING REQUEST

Senate Amendment	(SA-SB55)
------------------	-----------

Received: 06/09/2001				Received By: shoveme				
Wanted: As time permits				Identical to LRB:				
For: Legislative Fiscal Bureau			By/Representing: Renner					
This file	may be shown	n to any legislat	or: NO		Drafter: shoveme			
May Co	ntact:				Addl. Drafters:			
Subject: Munis - miscellaneous State Government - miscellaneous		us	Extra Copies:	JTK				
Submit	via email: NO					•		
Requeste	er's email:							
Pre Top	oic:							
LFB:	.Renner -							
Topic:				<u> </u>				
Requirin	g department o	of administratio	n review of	certain annex	ations of town terr	itory		
Instruct	tions:							
See Atta	ched. Draft 20	001 AB 364 as a	a budget am	endment				
Draftin	g History:					<u> </u>	<u> </u>	
Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	<u>Required</u>	
/1	shoveme 06/10/2001	wjackson 06/10/2001	kfollet 06/10/20	01	lrb_docadmin 06/10/2001			
FE Sent	For:							
				<end></end>				

2001 DRAFTING REQUEST

Senate Amendment (SA-SB55)

Received: 06/09/2001			Received By: shoveme				
Wanted: As	time permits			Identical to LRB:			
For: Legislative Fiscal Bureau			By/Representing: Renner				
This file may be shown to any legislator: NO				Drafter: shoveme			
May Contact:				Addl. Drafters:			
Subject: Munis - miscellaneous State Government - miscellaneous		IS	Extra Copies:	JTK			
Submit via e	email: NO						
Requester's	email:						
Pre Topic:				<u>, </u>			
LFB:Rer	nner -						
Topic:			· · · · · · · · · · · · · · · · · · ·			•	
Requiring de	epartment of administration	on review of	certain annex	cations of town ter	ritory		
Instructions	s:	·					
See Attached	d. Draft 2001 AB 364 as	a budget am	endment				
Drafting Hi	story:						
<u>Vers.</u> <u>D</u> /? sh	Praftcd Reviewed noveme / WL 6 10	Typed Ky 6410	Proofed	Submitted (<u>Jacketed</u>	Required	

FE Sent For:

<END>

Date: Jane 9, 01



Legislative Fiscal Bureau
One East Main, Snite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

Marc Shavers DELIVER TO: Addressee Fax #: Addressee Phone #: # of Pages, Including Cover: 2 Sender's Initials: From: Message: I need a dreft on this approved

Representative Kaufert

ADMINISTRATION - LAND INFORMATION

Required DOA Review of Annexations in Populous Counties

Motion:

Move to incorporate into the budget the provisions of 2001 Assembly Bill 364, relating to requiring DOA to review annexations in counties with a population of at least 50,000 and to provide an opinion on whether the annexation is for or against the public interest.

Provide \$23,800 PR in 2001-02 and \$23,000 PR in 2002-03 and authorize 0.5 PR position under DOA for reviewing and preparing written explanations of the agency's opinion on such proposed annexations.

1/2 posibled

Note:

Under current law, no annexation within a county with a population of 50,000 or more is valid unless the person publishing a notice of the annexation sends a copy of the notice to the clerk of each affected municipality and to DOA within five days of publication. DOA has 20 days from receipt of the notice during which it may issue an opinion to all affected municipalities stating that the annexation is against the public interest, and the rationale for the recommendation. The annexing municipality is required to take this advice into consideration before final action is taken.

This motion would newly require the Department to issue an opinion in each instance where the annexation would occur in a county with a population of 50,000 or more and to send a notice within 20 days to the affected municipalities stating whether in its opinion the annexation is in the public interest or is against the public interest. The notice would have to include an explanation of the reasons for DOA's opinion. As under current law, the annexing municipality would be required review DOA's opinion before taking final action.

The motion would provide DOA's annexation and boundary review function (being converted from GPR to PR funding under the bill) with an additional 0.5 FTE position and associated funding. The position would be funded from assessments of municipalities for the costs of the reviews.

[Change to Bill: \$46,800 PR and 0.5 PR position]

Burke Ward

Albers

Decker Y N

Shibliski Y N

Plache Y N

Davling Y N

Welch Y N

More Y N

More Y N

Huebsch Y N

Huebsch Y N

Coggs





April 30, 2001 – Introduced by Representatives Foti, J. Fitzgerald, Huber, Albers, Ladwig, McCormick, Musser, Owens, Ott, Pettis and J. Lehman, cosponsored by Senators George and Schultz. Referred to Committee on Urban and Local Affairs.

AN ACT to amend 66.0217 (6) (a) of the statutes; relating to: department of

administration review of certain annexations of town territory.

1

2

Analysis by the Legislative Reference Bureau

Currently, town territory that is contiguous to any city or village may be annexed to that city or village under several methods. Three of the methods are: 1) direct annexation, under which a petition for annexation that was signed by the required number of electors and landowners is filed with the city or village clerk; 2) annexation by referendum, under which a petition for referendum that was signed by the required number of electors and landowners is filed with the city or village clerk, and a referendum is held and passes in the town; and 3) annexation by court order and referendum, under which the governing body of a city or village adopts a resolution declaring its intention to apply to the circuit court for an order for an annexation referendum. If the city or village submits the resolution and the proper supporting documents and if no petition of protest is filed with the court or if the petition is found by the court to be insufficient, the court shall order the referendum to be held. If the referendum passes in the town, the annexation occurs.

Under the first two of these current methods of annexation, no annexation proceeding in a county with a population of at least 50,000 is valid unless the person publishing a notice of annexation or the person who files the petition for direct annexation sends certain information, such as a legal description and a scale map of the territory proposed to be annexed, to the department of administration (DOA) within five days of the publishing of the notice or filing of the petition. Within 20 days after receipt of the information, DOA may mail to the clerks of the town and city or

ASSEMBLY BILL 364

1

2

3

4

5

6

7

8

9

10

11

12

village that are involved with the proposed annexation a notice that states DOA's opinion that the annexation is against the public interest and that advises the clerks of the reasons for its decision. This bill requires DOA, within 20 days after receipt of the information, to mail to the clerks a notice that states whether the proposed annexation is in the public interest or against the public interest and its reasons for its opinion.

In its determination of the "public interest" under current law and under the bill, DOA is required to consider a variety of factors, including whether governmental services could clearly be better supplied to the territory by the town or by the city or village, the shape of the proposed annexation, and the homogeneity of the territory with the annexing village or city and any other contiguous village or city. Under current law and under the bill, the village board or common council of the annexing village or city is required to consider DOA's advice before taking final action on the proposed annexation.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 66.0217 (6) (a) of the statutes is amended to read:

66.0217 (6) (a) Annexations within populous counties. No annexation proceeding within a county having a population of 50,000 or more is valid unless the person publishing a notice of annexation under sub. (4) mails a copy of the notice to the clerk of each municipality affected and the department within 5 days of the publication. The department may shall within 20 days after receipt of the notice mail to the clerk of the town within which the territory lies and to the clerk of the proposed annexing village or city a notice that states whether in its opinion the annexation is in the public interest or is against the public interest and that advises the clerks of the reasons the annexation is in or against the public interest as defined in par. (c). The annexing municipality shall review the advice before final action is taken.

SECTION 2. Initial applicability.

ASSEMBLY BILL 364

(1) This act first applies to annexation proceedings that are commenced on the
 effective date of this subsection.

3

(END)



State of Misconsin 2001 - 2002 LEGISLATURE



LFB:.....Renner – Requiring department of administration review of certain annexations of town territory

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144

1	At the locations indicated, amend the bill as follows:
2	$^{\prime}$ 1. Page 908, line 24: delete "may" and substitute "may shall".
3	$\sqrt{2}$. Page 909, line 1: after "that" insert "states whether".
4	$\sqrt{3}$. Page 909, line 2: after "annexation is" insert "in the public interest or is".
5	$^{\checkmark}$ 4. Page 909, line 3: after "annexation is" insert "in or".
6	5. Page 1793, line 20: after that line insert:
7	REVIEW OF ANNEXATIONS WITHIN POPULOUS COUNTIES. The treatment of
8	section 66.0217 (6) (a) of the statutes, with regard to the department of

- administration's review of annexations, first applies to annexation proceedings that
- 2 are commenced on the effective date of this subsection.".

3

(END)

LFB:.....Renner – Requiring department of administration review of certain annexations of town territory

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144

1	At the locations indicated, amend the bill as follows:
•	

- 2 **1.** Page 908, line 24: delete "may" and substitute "may shall".
- 3 **2.** Page 909, line 1: after "that" insert "states whether".
- 4 3. Page 909, line 2: after "annexation is" insert "in the public interest or is".
- 5 **4.** Page 909, line 3: after "annexation is" insert "in or".
- 6 **5.** Page 1793, line 20: after that line insert:
- 7 "(2mk) REVIEW OF ANNEXATIONS WITHIN POPULOUS COUNTIES. The treatment of
- 8 section 66.0217 (6) (a) of the statutes, with regard to the department of

. 1

2

3

administration's review of annexations, first applies to annexation proceedings that are commenced on the effective date of this subsection.".

(END)